

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 19-10622-RGS

EL-AMIN BASHIR,  
Plaintiff

v.

WARDEN STEPHEN SPAULDING, et al.,  
Defendants

ORDER ON REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE

February 20, 2024

STEARNS, D.J.

I agree with Magistrate Judge Hennessy's careful analysis of the record and his conclusion that the Second Amended Complaint should be dismissed considering plaintiff's repeated failures to comply with the court's orders respecting service and his disregard of the court's repeated warnings to plaintiff that his failure to abide by the court's instructions would result in a dismissal of his Complaint.

I further agree with the Magistrate Judge that plaintiff's persistent flouting of the court's orders amounts to litigation abuse. I will consequently adopt his Recommendation with one revision. While I have great admiration

for the patience and forbearance displayed by Magistrate Judge Hennessy in his efforts to give appropriate procedural guidance to plaintiff, considering the record, I will dismiss the Complaint with prejudice. Litigation is not a sport, but a serious public undertaking that imposes a tax on all parties involved, potential defendants and the court, as well as plaintiffs. I see no reason to give permission to this plaintiff to initiate another cycle of feckless litigation. Consequently, the Recommendation is ADOPTED, in part, and the Complaint is DISMISSED with prejudice.<sup>1</sup> The Clerk will enter judgment and close the case.

SO ORDERED.

/s/ Richard G. Stearns  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Plaintiff has not filed an Objection to the Magistrate's Report and Recommendation.